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Attorneys for Defendants Archer Daniels Midland Company;
ADM Milling Company; ADM Edible Bean Specialties, Inc.;
ADM Corn Processing

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION

BNSF Railway Company

Plaintiff,

v.

ARCHER DANIELS MIDLAND COMPANY;
ADM MILLING COMPANY; ADM EDIBLE
BEAN SPECIALTIES, INC.; ADM CORN
PROCESSING, and Roes 1-5, inclusive

Defendants.

Case No. 1:05-cv-00135-AWI-DLB

**STIPULATION AND ORDER SETTING
FURTHER STATUS CONFERENCE
FEBRUARY 1, 2006 AT 9:00 A.M.
COURTROOM 5**

This case involves a variety of billing issues in a variety of locations, the settlement of which continues to be time-consuming and complex. In light of the significant progress the parties have made, and are continuing to make, in settlement discussions in the above matter, the parties stipulated to extend certain deadlines for discovery as follows:

BNSF's responses to ADM's outstanding discovery are now due on January 5, 2006. The 30(b)(6) deposition of BNSF is continued to January 13, 2006. ADM's responses to BNSF's outstanding discovery are now due on January 17, 2006.

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The parties further stipulate that all discovery will be stayed until December 28, 2005.

DATED: November 9, 2005

SEYFARTH SHAW LLP

By /S/
Kurt A. Kappes
Attorneys for Defendants Archer Daniels
Midland Company; ADM Milling
Company; ADM Edible Bean Specialties,
Inc.; ADM Corn Processing

DATED: November 9, 2005

LAW OFFICES OF LESLIE G.
MCMURRAY

By /S/
Leslie G. McMurray
Attorneys for Plaintiff BNSF RAILWAY
COMPANY

The Court hereby vacates all dates in the May 26, 2005 Scheduling Order.

This case is set for a telephonic scheduling conference on February 1, 2006 at 9:00 a.m.

IT IS SO ORDERED.

November 9, 2005

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE